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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

7 UNITED STATES OF AMERICA, )  
8 )  
9 Plaintiff, ) Case No. CR01-101 RSL  
10 v. )  
11 JOON SUR RHEE, ) **PROPOSED FINDINGS OF**  
12 ) **FACT AND DETERMINATION**  
13 ) **AS TO ALLEGED**  
14 ) **VIOLATIONS OF**  
15 Defendant. ) **SUPERVISED RELEASE**  
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25 INTRODUCTION

26 I conducted a hearing on alleged violations of supervised release in this case on March 4,  
27 2009. The defendant appeared pursuant to a summons issued in this case. The United States  
28 was represented by Ronald J. Friedman, and defendant was represented by Jeffrey L. Kradel.  
29 Also present was U.S. Probation Officer Mark J. Chance. The proceedings were digitally  
30 recorded.

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32 CONVICTION AND SENTENCE

33 Defendant was sentenced on January 13, 2004 by the Honorable Robert S. Lasnik for  
34 racketeer influenced and corrupt organizations (RICO). He received 78 months imprisonment  
35 and three years supervised release.

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37 PROPOSED FINDINGS OF FACT AND  
38 DETERMINATION AS TO VIOLATIONS OF  
39 SUPERVISED RELEASE -1

1 PRESENTLY ALLEGED VIOLATIONS AND  
2 DEFENDANT'S ADMISSION OF THE VIOLATION

3 In a petition dated February 12, 2009, Supervising U.S. Probation Officer Mark J. Chance  
4 alleged that defendant violated the following conditions of supervised release:

5 1. Committing the crime of Unlawful Distribution of a listed Chemical (red phosphorus), in  
6 violation of the general condition that he not commit another federal, state, or local crime.

7 2. Associating with Richard G. Ciarlo, a known felon, in violation of standard condition No.  
8 9.

9 Defendant admitted the above violations, waived any hearing as to whether they occurred,  
10 and was informed the matter would be set for a disposition hearing on March 19, 2009 before  
11 District Judge Robert S. Lasnik.

12 RECOMMENDED FINDINGS AND CONCLUSIONS

13 Based upon the foregoing, I recommend the court find that defendant has violated the  
14 conditions of his supervised release as alleged above, and conduct a disposition hearing.

15 DATED this 4<sup>th</sup> day of March, 2009.

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17 BRIAN A. TSUCHIDA  
18 United States Magistrate Judge  
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